

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

Motion for Revocation on Offender Under Probation Supervision
Summons Requested

Name of Offender: Edward L. Swisher Case Number: 5:07-M-1630-1

Name of Sentencing Judge: Honorable William A. Webb

Date of Original Sentence: November 6, 2007

Original Offense: 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (level 4)

Original Sentence: 12 month term of probation

Type of Supervision: Probation Supervision Started: 11/06/2007

Defense Attorney: Waived

EARLIER COURT ACTION

1/25/2008 As a result of a Driving with a Revoked License offense, the court modified the conditions of probation to require the defendant to serve three days in jail.

PETITIONING THE COURT

Violation 1 - Failure to complete prescribed treatment program.

As of this date, the defendant has not completed any of the required treatment hours as prescribed by his Driving While Impaired assessment.

Violation 2 - Failure to pay a monetary obligation.

As a condition of supervision, the defendant was ordered to pay a \$500 fine and a \$10 special assessment. On November 13, 2007, Swisher signed a payment agreement obligating himself to pay \$51 per month beginning on January 15, 2008. As of this date, he has paid a total of \$102 and is currently \$357 in arrears.

In view thereof, we respectfully petition the court for the issuance of a summons and recommend that the term of supervision be revoked.

This the 10th day of October, 2008.

Reviewed and approved,

/s/ Robert L. Thornton

Robert L. Thornton

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/Eddie J. Smith

Eddie J. Smith

U.S. Probation Officer

310 Dick Street

Fayetteville, NC 28301-5730

Phone: (910) 483-8613

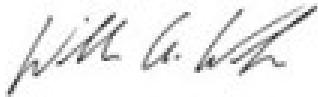
Executed On: October 10, 2008

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THE COURT ORDERS:

ORDER ISSUANCE OF A SUMMONS
 OTHER:



William A. Webb
U.S. Magistrate Judge